IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1160 OF 2005

Datamatics Ltd. & Anr. ...Petitioners

Versus

The State of Maharashtra & Anr. ...Respondents

.....

Mr.Jay Bhatia i/b Udwadia & Udeshi for Petitioners.

Ms.R.M.Gadhavi, A.P.P. for Respondent No.1.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 7, 2005.

P.C.

1. As alternative efficacious remedy is available to the Applicants by way of revision before the Sessions Court in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**, Counsel for the Petitioners fairly prays for withdrawal of this Petition with liberty to take recourse to remedy of revision. Hence, dismissed as withdrawn with liberty as prayed. All questions

are left open.

2. The Petitioners to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioners. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

3. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Petitioners had first approached this Court, which period may be excused in computing delay.

4. Petition disposed of on the above terms.

A.M.KHANWILKAR, J.